

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

SEAN BUENDIA,

Petitioner

v.

WARDEN J.L. JAMISON,

Respondent

Civil Action No. 19-9310(RMB)

OPINION

BUMB, District Judge

Petitioner Sean Buendia was incarcerated in FCI Fairton, in Fairton, New Jersey, when he filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, on April 5, 2019, seeking eleven months of prior custody credit, for time spent in state custody. (Pet., Dkt. No. 1). The Court had terminated this matter for Petitioner's failure to pay the filing fee and to submit his Petition on the proper form. (Order, Dkt. No. 2). On June 4, 2019, Petitioner submitted an Amended Petition on the proper form and paid the filing fee. (Am. Pet., Dkt. No. 3).

I. DISCUSSION

After reopening this matter, the Court sent legal mail to Petitioner at his last known address on a number of occasions, and the post office returned each item as undeliverable and unable to forward. (Dkt. Nos., 5, 6, 7).

Local Civil Rule 10.1(a) provides, in relevant part, "unrepresented parties must advise the Court of any change in their . . . address within seven days of being apprised of such change by filing a notice . . . with the Clerk. Failure to file a notice of address change may result in the imposition of sanctions by the Court." Dismissing a petition without prejudice is an appropriate remedy for noncompliance with this rule. See Archie v. Dept. of Corr., Civ. No. 12-2466 (RBK/JS), 2015 WL 333299, at *1 (D.N.J. Jan. 23, 2015) (collecting cases).

To date, Petitioner has not informed the Court of his new address.

II. CONCLUSION

Accordingly, the Court will dismiss this case without prejudice, pursuant to Local Civil Rule 10.1. An appropriate Order follows.

Dated: September 22, 2020

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE